



PORT & RESOURCE RECOVERY DEPARTMENT

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DEAN R. HAEN

DIRECTOR

PROCEEDINGS OF THE BROWN COUNTY SOLID WASTE BOARD

A regular meeting was held on **Monday November 26, 2018**
at the Brown County Resource Recovery Facility, 2561 S Broadway, Green Bay, WI 54304

1) Call to Order:

The meeting was called to order by Solid Waste Board Vice-Chair Mark VandenBusch at 2:30 pm.

2) Roll Call:

Present: Mark VandenBusch, Vice-Chair
Bud Harris
Norb Dantine
Dave Landwehr
Michael Lefebvre
Doug Martin
Bill Seleen

Excused: John Katers, Chair
Mike VanLanen

Also Present: Dean Haen, Brown County P&RR
Mark Walter, Brown County P&RR
Chad Doverspike, Brown County P&RR
Patti Cole, Brown County P&RR

3) Approval/Modification – Meeting Agenda

A motion to approve the agenda as amended was made by Norb Dantine and seconded by Dave Landwehr. Unanimously approved.

4) Approval/Modification - Meeting Minutes of September 17, 2018

A motion to approve the September 17, 2018 meeting minutes was made by Dave Landwehr and seconded by Mike Lefebvre. Unanimously approved.

5) Announcements/Communications

No announcements or communications were made at this time.

6) 2018 3rd Quarter Budget Status Report

Dean Haen informed the Board that tipping fee revenues were up due to a larger than expected tonnage collected, while the revenue collected from the gas to energy process was lower, but higher than expenses.

A motion to approve the 2018 3rd Quarter Budget was made by Norb Dantine and seconded by Mike Lefebvre. Unanimously approved.

7) Hoffman Property

Dean Haen reminded the Solid Waste Board of its past actions regarding the Hoffman property with the most recent actions being that they were no longer interested in acquiring the property. Previous Board action involved an offer to purchase made by the Seller at \$170,000 and approved twice in past actions of the Board. However, the property owner later decided to rescind the original offer to sell.

Prior to the offer, each party did an appraisal and then agreed to a third appraisal because the individual appraisals were significantly different. Hoffman is claiming the Board followed the property value protection provisions of the Landfill Siting Agreement between the Town of Holland and Brown County. The property value protection provisions are activated when the landfill is open. Both parties followed reasonable procedures in determining a value for the property with no agreement by either party that the other was obligated to sell or buy. Mr. Haen then described the attorney representing the Hoffman's Freedom of Information Act claims, and how the County Corporation Counsel's office has been preparing to provide these items. Mr. Haen was confident that the suit would be handled by Corporation Counsel, and that it would be dismissed after it is shown that the Department has committed no wrongdoing.

8) Scale/Building Changes

Chad Doverspike brought to the Board's attention the fact that the Waste Transfer Station has experienced an increased number of customers and that various improvements have been made, and more are in the process. Mr. Doverspike noted that so far the entranceway has been widened and the turnaround area has been improved. In 2019, further improvements are planned including the addition of a second scale which will include a semi-automated system involving RFID cards carried by primary account holders. Also, the scale house building will be modified in order to give the operator a better view of both scales and the vehicle unloading area. This way anyone who may be placing refuse in an incorrect area can be corrected via a speaker system.

Mr. Doverspike then explained that the technology involved in this system would need to be monitored to decide if the benefits would outweigh the costs. Mark Walter then stated that the Department is looking at updated software that would be required for this new system. The Department wants to that the software would be able to handle all items accepted at the transfer station, and that cred it card would be integrated into the scale software. The Department is currently in the process of identifying a software/scale combination that would be able to handle all requirements that the transfer station would need. Mr. Walter then brought to the Board's attention the fact that any improvements made at the waste transfer station would eventually need to be made to the South Landfill, and it is therefore important to keep this in mind while

determining the software integration into the scale, so that any future improvements at the South Landfill are consistent with the transfer stations.

9) 2019 Budget

Dean Haen noted that the 2019 Budget was approved by the County Board and that no changes are required.

10) South Landfill Timeline and Response to Observed Groundwater ES Exceedances

Dean Haen brought to the Board's attention a letter submitted to the Department of Natural Resources and the subsequent Department response regarding groundwater contaminants, stating that the DNR agrees that the groundwater exceedances are being correctly addressed, and that the Department agrees that the balers used were the source of the trichloroethylene (TCE) and methylene chloride observed in the monitoring wells. The department also believes that the County has taken the economically and technically feasible steps required to maintain acceptable groundwater levels of these compounds.

Mr. Haen then stated that the County will continue the remaining four rounds of baseline monitoring for volatile organic compounds (VOCs) and ensure that their levels remain within acceptable parameters.

Mr. Haen then explained that the County is dealing with the costs of the cleanup, and he has inquired with Corporation Counsel as to whether or not the manufacturer of these balers is liable for damages. Corporation Counsel's response is that the County must prove that the balers were known by the manufacturer to be used in the intended application. Mr. Haen then noted that this issue is one that will be looked upon in the future, and that it remains open.

11) South Landfill Town of Holland Local Monitoring Committee Legal Correspondence

Dean Haen began by calling attention to a letter from Quarles & Brady, the law firm representing the Town of Holland, regarding Brown County's correspondence concerning contaminants in the groundwater. Mr. Haen stated that the letter asks for a meeting between the Town and the County, which he stated is agreeable, as the two parties both agreed to hold up to two meetings per year. Additionally the letter calls attention to a claim that the County has violated what is known as Wisconsin's "Spills Law," or the Wisconsin Hazardous Substances Spill Law, which requires immediate notification to the DNR of a hazardous substance release. Mr. Haen pointed out the fact that the exceedance levels of TCE and methylene chloride were not considered releases to public property, as the compounds in question were not exposed to any external locations, they only affected the monitoring wells in which the balers were installed.

Mr. Haen reviewed a letter the County's attorney wrote in response to the first letter, which states the fact that these contaminants are not considered a public property hazardous materials release. Mr. Haen also noted that the property in question is not a landfill currently in operation, and is therefore not subject to the Landfill Siting Agreement. Mr. Haen then brought attention to a third letter, a letter from Quarles & Brady. This letter states that the Town of Holland would like to agree to disagree with the County on a select number of various points of contention, and they would like to move forward, and have a meeting that is currently scheduled for January 14, 2018.

Mr. Haen then brought the Board's attention to an event that occurred recently, which involves Foth and GEI, a subcontractor to Foth for the County. GEI has been tasked with completing the wetland delineation. GEI made an electronic submittal to the DNR concerning the

aforementioned delineation without notifying the County of the submittal. Mr. Haen informed Foth and GEI of our communication responsibilities to the Holland landfill monitoring committee. This submission needed to be provided to the County, so the County could inform the Town. Adherence to the agreement provision must be followed and staff continues to work towards fail-safe policies and procedures.

12) Director's Report

Mark Walter stated that recycling markets remain low, and that they show no signs of increasing any time soon. Mr. Walter was then asked whether or not Chinese companies were going to be building paper recycling plants within Wisconsin, and Mr. Walter replied in the affirmative that that was indeed the case, and that they would be used as a source of pulp to supply their own paper plants. Mr. Walter was confident that recycling markets would once again come back in the future, as the recycling market is largely cyclical.

13) Such other Matters as Authorized by Law

The next meeting, normally held on the third Monday of the month, could tentatively be December 17, 2018.

No other matters.

14) Adjourn

A motion to adjourn was made by Norb Dantine and seconded by Dave Landwehr .
Unanimously approved. Meeting adjourned at 3:13 pm.

John Katers, Chairman
Solid Waste Board

Dean R. Haen, Director
Port & Resource Recovery Department